

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

FILED

08 MJ 1482

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

DEPUTY

UNITED STATES OF AMERICA,

Magistrate Docket No.

Plaintiff,

)

v.

)

Salvado REYES-Castillo,

Title 8, U.S.C., Section 1326

Defendant

Deported Alien Found in the

United States

)

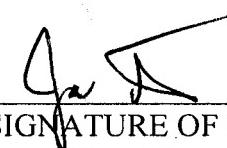
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COMPLAINT FOR VIOLATION OF:

The undersigned complainant, being duly sworn, states:

On or about **May 12, 2008** within the Southern District of California, defendant, **Salvado REYES-Castillo**, an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, was found in the United States, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.


SIGNATURE OF COMPLAINANT

James Trombley

Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 13th DAY OF MAY, 2008
Cathy A. Bencivengo

UNITED STATES MAGISTRATE JUDGE

CONTINUATION OF COMPLAINT:
Salvado REYES-Castillo**PROBABLE CAUSE STATEMENT**

On May 12, 2008, at approximately 12:00 AM, Border Patrol Agent Blanco responded to a sensor activation in an area known as the "88 Turn-Around." This area is approximately four miles west of the San Ysidro, California Port of Entry and approximately 150 yards north of the United States/ Mexico International Boundary.

Agent Blanco responded to the area and after a brief search encountered two individuals attempting to hide in brush. Agent Blanco identified himself as a United States Border Patrol Agent and conducted an immigration inspection of the two individuals. Both individuals including one individual later identified as the defendant **Salvado REYES-Castillo**, admitted to being a citizens and a nationals of Mexico here in the United States illegally without any immigration documents that would allow him to enter or remain in the United States legally. The defendant was arrested and then transported to the Imperial Beach Border Patrol Station for processing.

Routine record checks of the defendant revealed a criminal and immigration history. The defendant's record was determined by a comparison of his criminal record and the defendant's current fingerprint card. Official immigration records of the Department of Homeland Security revealed the defendant was previously deported to **Mexico on May 6, 2008** through **San Ysidro, California**. These same records show that the defendant has not applied for permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.

The defendant was advised of his Miranda rights. The defendant stated that he understood his rights and was willing to answer questions without an attorney present. The defendant admitted that he is a citizen and national of Mexico illegally present in the United States. The defendant further admitted that he had been previously deported from the United States and has not applied or requested permission to re-enter the United States legally.